

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Serial No.: 10/667,923 Confirmation No.: 1611  
Applicant: Lee M. Amaitis et al.  
Title: SYSTEM AND METHOD FOR BETTING ON A PARTICIPANT IN A  
GROUP OF EVENTS  
Filed: September 22, 2003  
Art Unit: 3717  
Examiner: Lawrence Stefan Galka  
Atty. Docket: 03-6161  
Customer No. 63710

**TRANSMITTAL MAKING EMAIL COMMUNICATIONS OF RECORD**

Recognizing that Internet communications are not secure, Applicant previously authorized the USPTO to communicate with any authorized representative concerning any subject matter of this application by electronic mail. Applicant previously pointed out that Applicant understands that a copy of these communications will be made of record in the application file of the present application.

Attached as an Appendix, are email communications, including all attachments, between the undersigned and the Examiner(s) directly relating to prosecution of the present application. By submitting these email communications, Applicant in no way waives, e.g., claims of privilege with respect to email message(s), *if any*, that may have, e.g., been distributed internally and confidentially by Applicants and, e.g., not sent to an addressee at the United States Patent and Trademark Office, but that might include, e.g., some or all of any of the attached email message(s) in the Appendix.

Respectfully submitted,

Dated: February 4, 2011

By: /Christopher D. Agnew/  
Christopher D. Agnew  
Reg. No. 43,464  
cagnew@cantor.com  
(857) 413-2050  
Customer No: 63710

**APPENDIX**  
**TO TRANSMITTAL MAKING EMAIL COMMUNICATIONS OF RECORD**

**From:** Agnew, Christopher  
**To:** "christian.rendon@uspto.gov"  
**Cc:** Alderucci, Dean; Postolski, David  
**Subject:** Application Serial No. 10/667,923 SYSTEM AND METHOD FOR BETTING ON A PARTICIPANT IN A GROUP OF EVENTS (Atty. Docket No. 03-6161)  
**Date:** Friday, September 11, 2009 12:00:22 PM  
**Attachments:** 03-6161\_090911\_PTO413A Interview Request.pdf

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Dear Examiner Rendon,

Attached please find an interview request that I just filed with the U.S. Patent and Trademark Office. I look forward to speaking with you today, September 11, 2009 at 12:00 P.M. You indicated that you will try to call me at (857) 413-2050. Thank you very much for granting an interview at this stage of prosecution.

Please know that in this case and any other cases that we might work on, I am willing to consider claim amendments and/or claim cancellations that would expedite allowance. I look forward to speaking with you.

Thank you very much.

Authorization for Email Communication

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Best regards,

/Christopher D. Agnew/  
U.S.P.T.O. Registration No. 43,464

**Christopher David Agnew**  
Vice President and Assistant General Counsel  
Cantor Fitzgerald, L.P.  
125 High Street, 26th Floor  
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(857) 413-6727 (Mobile)  
(212) 308-7537 (Fax)  
[cagnew@cantor.com](mailto:cagnew@cantor.com)

## Applicant Initiated Interview Request Form

Application No.: 10/667,923 First Named Applicant: Lee M. Amaitis  
Examiner: Christian E. Rendon Art Unit: 3714 Status of Application: After Final

### Tentative Participants:

(1) Examiner Rendon (2) Christopher D. Agnew, USPTO Reg. No. 43,464  
(3) \_\_\_\_\_ (4) \_\_\_\_\_

Proposed Date of Interview: Fri., September 11, 2009 Proposed Time: 12:00 P.M. AM/PM

### Type of Interview Requested:

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO

If yes, provide brief description: \_\_\_\_\_

### Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>35 USC 112 Rej</u>	<u>8, 21</u>	<u>N/A</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) <u>35 USC 102 Rej</u>	<u>Various</u>	<u>Simon</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) <u>35 USC 103 Rej</u>	<u>Various</u>	<u>Simon etc.</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Continuation Sheet Attached

### Brief Description of Argument to be Presented:

Discuss possible alternatives to appeal in the matter. To advance prosecution and obtain early issuance of some subject matter this year rather than forgo the issuance of any subject matter at all this year, Applicants are willing to work with the Examiner and to consider claim amendments and/or claim cancellations that would expedite allowance.

An interview was conducted on the above-identified application on \_\_\_\_\_.

**NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).**

**This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.**

/Christopher D. Agnew/

Applicant/Applicant's Representative Signature

Christopher D. Agnew

Typed/Printed Name of Applicant or Representative  
43,464

Registration Number, if applicable

Examiner/SPE Signature

## Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
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5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

**From:** Agnew, Christopher  
**To:** "John Hotaling@uspto.gov"  
**Subject:** Application Serial No. 10/667,923 SYSTEM AND METHOD FOR BETTING ON A PARTICIPANT IN A GROUP OF EVENTS (Atty. Docket No. 03-6161)  
**Date:** Tuesday, February 02, 2010 5:18:20 PM

---

Dear Examiner Hotaling,

Thank you for returning my most recent voice mail message of January 22, 2009. I tried to return your call about an hour ago, but an automated message told me that I could not leave a message.

As I mentioned in my messages, I respectfully request an interview to discuss the above patent application prior to your preparation of an Office Action following the Request for Continued Examination filed last year.

I am on my way to Virginia right now and will be visiting the U.S. Patent and Trademark Office on Wednesday and Thursday. Although my schedule is relatively full, I would be very interested in getting together to briefly introduce myself. If you are interested and so inclined, I can also discuss the present application.

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(857) 413-6727 (Mobile)

(212) 308-7537 (Fax)

[cagneu@cantor.com](mailto:cagneu@cantor.com)

**From:** Hotaling, John  
**To:** Agnew, Christopher  
**Subject:** RE: Application Serial No. 10/667,923 SYSTEM AND METHOD FOR BETTING ON A PARTICIPANT IN A GROUP OF EVENTS (Atty. Docket No. 03-6161)  
**Date:** Wednesday, February 03, 2010 9:59:32 AM

---

call me we will work it out and if you can't reach me try my cell 571 278 4574

---

**From:** Agnew, Christopher [mailto:CAgnew@cantor.com]  
**Sent:** Tuesday, February 02, 2010 5:18 PM  
**To:** Hotaling, John  
**Subject:** Application Serial No. 10/667,923 SYSTEM AND METHOD FOR BETTING ON A PARTICIPANT IN A GROUP OF EVENTS (Atty. Docket No. 03-6161)

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**From:** Agnew, Christopher  
**To:** "John.Hotaling@USPTO.GOV"; Agnew, Christopher  
**Subject:** Re: Application Serial No. 10/667,923 SYSTEM AND METHOD FOR BETTING ON A PARTICIPANT IN A GROUP OF EVENTS (Atty. Docket No. 03-6161)  
**Date:** Wednesday, February 03, 2010 10:11:23 PM

---

Examiner Hotaling,

I apologize; I was tied up in meetings all day. I was in Randolph late in the day and stopped by your office, but you weren't there. I'll try you in the morning. I should be free after 2 PM but may have some time earlier on in the day as well.

Thanks,  
Chris Agnew

---

**From:** Hotaling, John  
**To:** Agnew, Christopher  
**Sent:** Wed Feb 03 09:59:25 2010  
**Subject:** RE: Application Serial No. 10/667,923 SYSTEM AND METHOD FOR BETTING ON A PARTICIPANT IN A GROUP OF EVENTS (Atty. Docket No. 03-6161)

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**To:** Agnew, Christopher  
**Subject:** RE: Application Serial No. 10/667,923 SYSTEM AND METHOD FOR BETTING ON A PARTICIPANT IN A GROUP OF EVENTS (Atty. Docket No. 03-6161)  
**Date:** Thursday, February 04, 2010 10:14:21 AM

---

Chris I work from home and am not planning on coming in today but we can still talk about the case or you can call me later and do it when you get back

---

**From:** Agnew, Christopher [mailto:CAgnew@cantor.com]  
**Sent:** Wednesday, February 03, 2010 10:11 PM  
**To:** Hotaling, John; Agnew, Christopher  
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**Subject:** Re: Application Serial No. 10/667,923 SYSTEM AND METHOD FOR BETTING ON A PARTICIPANT IN A GROUP OF EVENTS (Atty. Docket No. 03-6161)  
**Date:** Thursday, February 04, 2010 11:58:50 AM

---

That's fine--let's please have a call to discuss in the near future. Thank you.  
Chris

---

**From:** Hotaling, John  
**To:** Agnew, Christopher  
**Sent:** Thu Feb 04 10:12:44 2010  
**Subject:** RE: Application Serial No. 10/667,923 SYSTEM AND METHOD FOR BETTING ON A PARTICIPANT IN A GROUP OF EVENTS (Atty. Docket No. 03-6161)

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